

REMARKS/ARGUMENTS

Claims 1-22 are all the claims pending in the present application. Based on the following remarks, Applicant respectfully requests reconsideration of the application and allowance of the claims.

I. Rejection of Claims 1, 12-15, 17, 21 and 22 Under 35 U.S.C. § 102(b)

Claims 1, 12-15, 17, 21 and 22 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Martensson (U.S. Patent No. 5,553,125; "Martensson")

Claim 1 requires a radiotelephonic device having a user interface comprising, *inter alia*, "a call acceptor adapted to receive indications of determinations made by said comparator, said call acceptor for selectably *accepting the terminating call when* said comparator determines the *originating dialing number to match* any of the first-group set of *dialing numbers* which comprise the calling-group listing."

Applicant submits that Martensson does not teach or suggest at least the above recitations of claim 1. In rejecting claim 1, the Examiner relies on column 4, lines 56-62, column 7, lines 22-26 and claim 8 of Martensson for the proposition that Martensson teaches the above features of claim 1. Contrary to the Examiner's assertion, neither the cited portion nor any other portion of Martensson teach the above features of claim 1.

In contrast to claim 1, Martensson, at best, discloses that when the portable cellular telephone 1 receives a call, the telephone 1 establishes the telephone number of the caller if a calling line identification (CLI) signal is present. Martensson explains that if a CLI signal is present, the telephone numbers stored in numeric fields (See e.g., FIGS. 3-4 of Martensson) of the telephone number store 100 are compared with the CLI number. "If none of the stored numbers match the CLI number" "[t]he telephone is rung and the CLI number is displayed on the display." (See Col. 4, lines 56-59; See also FIG. 5) (emphasis added) In this regard, since none of the stored numbers match the CLI number, Martensson describes that a message such as "NOT IN MEMORY" may be displayed to the user to indicate that the number of the incoming call(s) is not stored in memory 100. (Col., 4, lines 39-62)

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On the other hand, Martensson describes that if one of the records in the telephone number store 100 is found to contain in its numeric field a number corresponding to the CLI of the incoming call, then “a check is made on the state of [an] instruction field.” (See Col. 5, lines 21-22 & FIG. 4 of Martensson) Martensson further discloses that “[i]f the instruction field contains a ‘BUSY SIGNAL’ instruction, e.g. [bits] 1111, then the telephone will respond with a busy signal (engaged) signal as if the telephone were in use.” (Col. 5, lines 22-25) (emphasis added) In other words, Martensson merely discloses that if the instruction field contains a “BUSY SIGNAL” the telephone 1 will not accept the call and the CLI number of the calling party which matches the telephone number stored in the numeric fields of the telephone store 100 is “blocked.” (Col. 5, lines 25-28; Col., 4, lines 36-39)

Martensson further explains that “[i]f the instruction field is found to be empty” (i.e., having bits 0000), when one of the records in the telephone number store 100 is found to contain in its numeric field a number corresponding to the CLI of the incoming call, then the “telephone will be rung.” (See Col. 5, lines 29-30, FIG. 5 and Col. 6, lines 29-33 of Martensson)

Column 7, lines 22-26 of Martensson merely explains that the call-screening system of Martensson uses abbreviated dialing memory (ADM) 100 to compare stored numbers to the telephone number of an incoming call and perform an associated operation instruction, based on the value of bits in the instruction field, for matched numbers in the manner discussed above.

In view of the foregoing, Martensson merely discloses that when a telephone number stored in numeric fields of the telephone number store 100 matches the CLI number of an incoming call, the incoming call is rung (i.e., accepted) when the instruction field is assigned a value of 0000. Otherwise, when the telephone number stored in numeric fields of the telephone number store 100 matches the CLI number of an incoming call, the telephone responds to the incoming call with a busy signal when the instruction field is assigned a value of 1111 “which is used to block” the incoming call. (Col. 4, lines 35-37)

Given that Martensson, at best, discloses that an incoming call is rung (i.e., accepted) when there is a match between a telephone number stored in a numeric field of telephone store 100 and the CLI number when an instruction field has a certain value (i.e., 0000), Martensson fails to teach and is incapable of suggesting “a call acceptor ... selectably accepting the terminating call when said comparator determines the *originating dialing number to match any*

of the first-group set of *dialing numbers*” selected from a speed-dial set of dialing numbers which comprise the calling-group listing, as required by claim 1. The instruction field of Martensson does not correspond to the claimed originating dialing number. Rather, Martensson describes that the instruction field disclosed therein contain bits of a byte available for storing special instructions to modify manual operation of the telephone 1, in the manner discussed above. (See Col. 4, lines 29-31; See also FIG. 4) As can be seen in FIG. 4 of Martensson, the telephone number(s) (e.g. “telephone number 0276 686116”) stored in numeric fields of the telephone number store 100 are not the bits of the instruction field. (See Col. 4, lines 27-28 of Martensson)

As noted above, column 4, lines 54-59 of Martensson discloses that it is when none of the telephone numbers stored in the numeric fields of telephone store 100 match the CLI number of the incoming call that the telephone 1 is rung (i.e., accepted) without evaluating values of the instruction field, (Col. 4, lines 54-59) which specifically teaches away from “*accepting the terminating call when said comparator determines the originating dialing number to match any of the first-group set of dialing numbers which comprise the calling-group listing,*” as claimed.

Based on at least the foregoing reasons, Applicant submits that Martensson does not teach or suggest all of the features of claim 1 and its dependent claims 2-14.

Additionally, Applicant submits that Martensson does not teach or suggest a radiotelephonic device having a user interface comprising, *inter alia*, “a calling-group listing formed of a first-group set of dialing numbers, the first group set of dialing numbers selected from a speed-dial set of dialing numbers selectably used at the radiotelephonic device pursuant to a speed dialing procedure, the calling-group listing *being separate* from the speed-dial set of dialing numbers,” as claimed. In rejecting claim 1, the Examiner suggests that column 1, lines 40-65, column 2, lines 58-62, column 3, line 40-column 4, line 5, column 4, line 63-column 5, line 13 and column 7, lines 15-26 teach all of the above features of claim 1. (See pg. 3 of the Office Action) Additionally in the *Response to Arguments* section of the Office Action, the Examiner suggests that Martensson teaches the features of claim 1 because Martensson discloses an “ADM both for speed dialing and for storing telephone numbers for call screening.” (See pg. 2 of the Office Action) Applicant respectfully disagrees for at least the following reasons.

As pointed out in the amendment dated March 20, 2006, the Martensson patent merely provides a telephone 1 capable of comparing the telephone number of incoming telephone calls to a speed-dial list, and selectively allowing the calls to ring through based on the presence or absence of the telephone number in the speed-dial list and in some instances based on the value of an instruction field, as discussed above. Martensson, at best, discloses that the incoming calls are compared directly to the speed-dial list. Contrary to the Examiner's assertion, neither the cited portion nor any other portion of Martensson teaches or suggests a call-screening list being separate from a speed-dial list. Rather, the cited portion of Martensson merely discloses that a common ADM 100 (i.e., telephone store) is used for both speed dialing and for call screening. Column 3, lines 65-67 and column 4, lines 1-2 of Martensson describes that the telephone numbers stored in the telephone store 100 (i.e., ADM) form a speed-dial list. Column 5, lines 21-28 of Martensson describes that the "call screening facility" is invoked when the telephone numbers stored in the numeric fields of the telephone store (i.e., in the speed-dial list) match and the instruction field contains a value of 1111, which permits the call to be blocked. As such, Martensson, at best, discloses that the speed-dial list functions as a call-screening list. Nowhere in Martensson is there any teaching or suggestion relating to a call-screening list being separate from the speed-dial list, as required by claim 1. (See e.g., claim 8 of Martensson) Rather, Martensson merely discloses a single list stored in ADM 100 which is used for speed dialing and call screening functions. As pointed out in the Amendment dated March 20, 2006, given that Martensson discloses the use of the speed-dial list as a call-screening list, the telephone 1 of Martensson would not be capable of screening calls from telephone numbers that are not contained in the speed-dial list. Furthermore, the telephone 1 of Martensson risks mistakenly screening a call from a telephone number that is contained in the speed-dial list, but that is not intended or desired to be screened.

The radiotelephonic device of claim 1 is capable of forming a call-screening list from a previously created speed-dial list. Although the resulting call-screening list may include some of the same telephone numbers as the speed-dial list, because the created call-screening list is separate from the speed-dial list from which it is formed, the claimed device is capable of including additional telephone numbers such that calls from telephone numbers that are not contained in the speed-dial list may be screened. Additionally, a separate call-screening list

reduces the possibility of mistakenly screening a call from a telephone number that is contained in the speed-dial list but which is not desired to be screened, since such a telephone number would not be contained in the call-screening list. In contrast to claim 1, however, Martensson does not teach or suggest forming a call-screening list that is separate from a speed-dial list, as claimed. (In fact, neither the Martensson, Henriksson and Bushnell references, alone or in combination, teaches or suggests forming a call-screening list that is separate from a speed-dial list, as claimed.) As such, Applicant submits that Martensson does not teach or suggest the call-screening list (i.e., the "calling-group listing") is formed separately from the speed-dial list (i.e., the "speed-dial set of dialing numbers"), using telephone numbers that are selected from the speed-dial list, as required by claim 1.

For at least the foregoing reasons, Applicant submits that Martensson does not teach or suggest all of the features of claim 1. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 102(b) rejection of claim 1 and its dependent claims 2-14.

With further regard to claim 14, Applicant submits that claim 14 is independently patentable given that Martensson fails to teach or suggest "said call acceptor is further adapted to receive indications of determinations of said comparator that the originating dialing number *fails to match* any of the first-group set of *dialing numbers*, said call acceptor further selectably for generating a *call-reject command*," as claimed. In rejecting claim 14, the Examiner relies on column 4, lines 52-62 of Martensson as teaching all of the features of claim 14.

In contrast to claim 14, neither the cited portion nor any other portions of Martensson teach or suggest the features of claim 14. As discussed above, the cited portion of Martensson merely discloses that if a CLI signal is present, the telephone numbers stored in numeric fields of the telephone number store 100 are compared with the CLI number and "[i]f none of the stored numbers match the CLI number" "[t]he telephone is rung and the CLI number is displayed on the display." (See Col. 4, lines 56-59; See also FIGS. 3, 4 and 5) (emphasis added) Since none of the stored numbers match the CLI number, Martensson discloses that a message such as "NOT IN MEMORY" may be displayed to the user to indicate that the number of the incoming call(s) is not stored in memory 100. (Col., 4, lines 39-62)

Given that Martensson discloses that the telephone 1 is rung (i.e., accepted) when there is no match between the telephone numbers stored in numeric fields of the telephone number store

100 and the CLI number of the incoming call, Martensson is incapable of teaching and suggesting said call acceptor is further adapted to receive indications of determinations of said comparator that the originating dialing number *fails to match* any of the first-group set of *dialing numbers*, said call acceptor further selectably for generating *a call-reject command*,” as claimed. Since the telephone 1 is rung (i.e., accepted) when there is no match between the telephone numbers stored in numeric fields of the telephone number store 100 and the CLI number of the incoming call, an element of telephone 1 does not generate a call-reject command in this instance. For at least this additional reason, Martensson does not teach or suggest all of the features of dependent claim 14, and Applicant respectfully requests the Examiner to reconsider and withdraw the § 102(b) rejection of claim 14.

Since claims 15, 21 and 22 contain features which are analogous to, though not necessarily coextensive with, the features recited in claim 1, Applicant submits that claim 15 and its dependent claims 16-20, as well as independent claims 21 and 22 are patentable at least for reasons analogous to those submitted for claim 1.

II. Rejection of Claims 2-6 and 16 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 2-6 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Martensson in view of Henriksson (U.S. Patent No. 5,845,219; hereinafter “Henriksson”). Applicant respectfully traverses this rejection for at least the following reasons.

As discussed above, Martensson is deficient vis-à-vis independent claims 1 and 15, and Henriksson does not make up for the deficiencies of Martensson. Accordingly, claims 2-6 and 16 are patentable at least by virtue of their respective dependencies from claims 1 and 15. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claims 2-6 and 16.

III. Rejection of Claims 7-11, 18 and 20 Under 35 U.S.C. § 103(a)

Claims 7-11, 18 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Martensson in view of Bushnell (U.S. Patent No. 6,289,084 B1; hereinafter “Bushnell”). Applicant respectfully traverses this rejection for at least the following reasons.

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As discussed above, Martensson is deficient vis-à-vis independent claims 7-11, 18 and 20, and Bushnell does not make up for the deficiencies of Martensson. Accordingly, claims 7-11, 18 and 20 are patentable at least by virtue of their respective dependencies from claims 1 and 15. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claims 7-11, 18 and 20.

Applicant notes that in order for the Examiner to maintain a rejection under 35 U.S.C. § 102(b), “each and every element ... set forth in the claim” must be found “in a single prior reference.” (MPEP § 2131) Moreover, the burden of establishing anticipation is upon the Examiner. Additionally, Applicant notes that in order to maintain a rejection under 35 U.S.C. § 103(a), the Examiner has the burden to demonstrate that the “prior art ... [suggests] all of the claim limitations.” (MPEP § 2142) Applicant submits that the Examiner has not addressed how the Martensson, Henriksson and Bushnell references, either alone or in combination teach or suggest all of the recitations of claim 19. The Examiner simply did not provide any support in the Office Action that the Martensson, Henriksson and Bushnell references either alone or in combination teach or suggest the features of claim 19. Therefore, Applicant submits that if the Examiner intends to maintain a § 102 or § 103 rejection of claim 19, in any future action or communication, he or she is requested to provide explicit bases for the rejection on the record.

IV. Conclusion

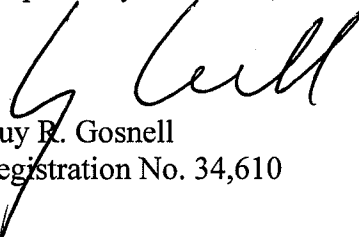
In view of the foregoing remarks, Applicant respectfully submits that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. Examiner Ekong is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

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therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit
Account No. 16-0605.

Respectfully submitted,



Guy R. Gosnell
Registration No. 34,610

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

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